IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.6751 OF 2004

Lakshichand M. Shah
(M/s.Shreetal restaurant & Bar) ...Petitioner.
Vs.
Commissioner of Police,
Greater Mumbai & Anr. ...Respondents.

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Mrs.V. B. Thadani for the Petitioner.
Mrs. M.P. Thakur, AGP for the Respondents.

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CORAM : KSHITIJ R. VYAS, C.J. &
DR.D.Y.CHANDRACHUD, J.

April 20, 2006.

P.C. :

The Petitioner who is a Sole Proprietor of the business in the name and style of M/s. Sheetal Restaurant and Bar, has filed this petition. The Petitioner has challenge the order rejecting the application filed by him for the grant of a premises and performance licence for undertaking orchestra and dance performances on recorded music in his restaurant. The Learned Counsel appearing on behalf of the Petitioner submits that in view of the recent decision rendered by this Court, allowing the petitions filed by the other Bar Owners, the Petitioner is entitled to licence. However, it is submitted that the decision of this Court is being

challenged by the Respondents before the Apex Court and therefore, it is submitted that the present petition may be adjourned till the final decision that would be rendered by the Apex Court. In our opinion, no useful purpose would be served in keeping the petition alive. While disposing of the petition, we reserve liberty to the Petitioner either to revive the petition and/or file a fresh petition after the decision that would be rendered by the Apex Court. The Petition is accordingly disposed of.

CHIEF JUSTICE

Dr.D. Y. Chandrachud, J.